



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES

-v-

LEONIDES SIERRA et al.,

Defendants.

11 Cr. 1032 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

A pretrial conference is scheduled in this case for Friday, September 28, 2012, at 11 a.m., for the Group A defendants. In order to facilitate discussion at that hearing, the Court directs the Government, by the end of the day on Wednesday, September 26, 2012, to file a letter to the Court and defense counsel addressing the following:

1. *Pretrial motions:* Several defendants have filed pretrial motions; however, the due date for the Government's response is not until October 12, 2012. For planning purposes, the Court welcomes the Government's assessment, with respect to the various pretrial motions, of (a) which will necessitate evidentiary hearings; (b) whether any of the evidentiary issues raised by defendants are overlapping or whether the individual defendants' claims present distinct issues; and (c) the nature and anticipated length of each of these hearings.
2. *Trial:* The Court would welcome (a) a list of the defendants currently classified within Group A (the Court understands that the Government may have re-classified some defendants whom it originally classified as Group A); (b) the Government's current assessment as to the number of Group A defendants likely to remain in the

case after the currently scheduled and/or currently anticipated plea proceedings have taken place (the Court is not asking the Government to identify such defendants by name, but only to provide a number); and (c) notification as to whether counsel for any Group B defendants have notified the Government that they would like to be tried on the presently pending charges on the schedule set for the Group A defendants, and if so, which Group B defendants.

3. The Court is, further, mindful that it has asked all Group A defense counsel to remain available for trial beginning January 7, 2013. Out of respect for counsels' schedules and in order to ensure that legal issues that may be presented by the trial joinder of particular defendants be identified and briefed as early as possible, the Court is hopeful to determine sooner rather than later which defendants are to be tried together, and in which sequence. The Court is, of course, mindful that events (*e.g.*, guilty pleas or newly obtained evidence) may intervene that require modifying any such schedule. The Court would welcome the Government's current assessment as to when it will be prepared to propose which Group A defendants be tried together, and the sequence of Group A trials.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: September 21, 2012
New York, New York